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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,374	09/30/2003	Markus Cherdron	09700.0064-00	3225
22852 7590 05/03/2007 FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER INGBERG, TODD D	
			ART UNIT 2193	PAPER NUMBER
			MAIL DATE 05/03/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/676,374	<b>Applicant(s)</b> CHERDRON ET AL.	
	<b>Examiner</b> Todd Ingberg	<b>Art Unit</b> 2193	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 February 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11/29/04 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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### DETAILED ACTION

Claims 1 – 21 have been examined.

Claims 1, 12, and 19 have been amended.

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 – 21 are rejected under 35 U.S.C. 102(b) as being anticipated by the Template Software product line.

The **Template** Software product line contains:

The SNAP programming language

The Workflow Template

The Web Component

These three layered products work together.

The documentation sets for the products contains the following manuals.

**SNAP** released June 1997

SNAP Language Reference (Referred to as **REF** - Not used in this Office Action)

Using the SNAP Language (Referred to as **LANG** - Not used in this Office Action)

Using the SNAP Communication Component (Referred to as **COM**)

Using the SNAP Graphic User Interface Component (Referred to as **GUI** Not used in this Office Action)

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Getting Started with SNAP (Referred to as **START** Not used in this Office Action)

Using the SNAP Display Editors (Referred to as **DISP** - Not used in this Office Action)

SNAP Class Library Reference (Referred to as **CLASS** - Not used in this Office Action)

Using the SNAP External Application Software Component (**EXT** - Not used in this Office Action)

Using the SNAP Development Environment (Referred to as **SNAP** )

SNAP Module Library Reference (Referred to as **MODU** Not used in this Office Action)

Using the SNAP Permanent Storage Component (Referred to as **PERM** )

### **Workflow** released September 1997

Developing a WFT Workflow System (Referred to as **WFT** )

Using the WFT Development Environment (Referred to as **ENV**)

WFT Library Reference (Referred to as **WFTLIB** - Not used in this Office Action)

### **Web Component**

Using the Web Component (Referred to as **WEB** )

### **Training Guides**

SNAP Application Developer's Training Course (Referred to as **TRAINS** – Modules 1 and 10 provided)

Workflow Template Training Course (Referred to as **TRAINW** – Section A)

Since, these products work together they constitute a single reference and can be used as the basis for a rejection based on anticipated by a product offering. Furthermore, with the 1997 press release announcing version 8.0 these considered prior art under *In re Epstein* 31 USPQ2d 1817 (decided August 17, 1994) with a 1997 release date despite the 1998 copyright date.

### **Claim 1**

**Template** anticipates a method for developing an application (WFT, pages 2-2 to 2-3, Introduction), the method comprising: defining file borders for development objects in a data model (SNAP, pages Chapter 8, Using the Project Editor – enables file borders from a high level

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– files for storing, WFT, Chapters 2 – 4, Enable one to design a workflow system at the application level (i.e. Data Flow level) see page 4-3);  
**, wherein the data model includes a component class (SNAP, Chapter 3, page 3-40, defining attributes in classes is a data model – and component classes are the classes) and a model class associated with the component class (SNAP, Chapter 3, page 3-14 – shows the modeling of classes in the object model)**  
storing the development objects of the application in a file-based repository based on the file borders (TRAINW, Section A, page 3 )  
; and employing an API derived from the data model to access the development objects ( WFT, Chapter 6, shows the Role objects called Applications in the WFT system – the previous sections described the flows (API) between the Applications).

#### **Claim 2**

The method of claim 1 further comprising caching the development objects in a local cache repository (SNAP, pages 3-10, the classes represent objects and are reusable, NOTE: local cache is not defined to be traditional meaning of cache memory).

#### **Claim 3**

The method of claim 1 wherein defining the file borders comprises identifying one of the development objects as a main development object to be included in a file with any development objects that are defined in the data model to be children objects of the main development object that are not identified as main development objects (SNAP, Chapter 3, Object Model Editor, see pages 3-6 inheritance lines and page 3-9).

#### **Claim 4**

The method of claim 3 further comprising storing in the file user-defined code associated with the main development object (SNAP, page 3-44 to 3-47, Functions (methods)).

#### **Claim 5**

The method of claim 3 further comprising storing in the file a reference to another development object stored in another file (ENV, pages 2-1 to 2-7 and SNAP, Chapter 8).

#### **Claim 6**

The method of claim 1 further comprising enabling a user to define a source path for one of the development objects As per claim 1.

#### **Claim 7**

The method of claim 1 wherein employing the API further comprises using tools that use the API to enable a user to perform a development operation. As per claim 1.

#### **Claim 8**

The method of claim 7 wherein the development operation includes a copy and paste operation (SNAP, page 3-32).

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**Claim 9**

The method of claim 7 wherein the development operation includes enabling a user to refactor a copied development object. (TRAINW, Section A, page 3, Shows the Template concept in view of the rejection for claim 1 – objects and classes refactored)

**Claim 10**

The method of claim 9 further comprising enabling a user to define a scope of the refactor ( as per claim 9 – scope Vertical Templates).

**Claim 11**

The method of claim 7 wherein the development operation includes storing translatable text separate from the development objects (SNAP, page 6-10, Class Definition files (CD) more specific references to CD files throughout the reference).

**Claim 12**

**Template** anticipates a method for developing applications, the method comprising: generating a data model for an application (as per claim 1), the data model being implemented in a language that includes a customizable extension (Template product line is object technology), the data model including a feature defined using the customizable extension (SNAP, Chapter 3, Object Model Editor, see pages 3-6 inheritance lines and page 3-9);

**, wherein the data model includes a component class (SNAP, Chapter 3, page 3-40, defining attributes in classes is a data model – and component classes are the classes) and a model class associated with the component class (SNAP, Chapter 3, page 3-14 – shows the modeling of classes in the object model)**

deriving an API from the data model, the API incorporating the feature; and enforcing constraints specified in the data model by employing the derived API during development of the application (WFT, pages 4-20 to 4-28, Rules).

**Claim 13**

The method of claim 12, wherein the feature comprises an indication used to implement a file border. (SNAP, page 8-21).

**Claim 14**

The method of claim 12, wherein the feature comprises an indication used to implement a platform-specific feature. (SNAP, Chapter 8, page 8-26 – UNIX and pages 2-4 to 2-5).

**Claim 15**

The method of claim 12, wherein the feature comprises an indication representing translatable text. (SNAP, page 6-10, Class Definition files (CD) more specific references to CD files throughout the reference).

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**Claim 16**

The method of claim 12, wherein the feature comprises an indication representing that an aggregation in the data model is ordered. (SNAP, Chapter 3, Object Model Editor, see pages 3-6 inheritance lines and page 3-9).

**Claim 17**

The method of claim 12, wherein the feature comprises an indication representing a singular name. (SNAP, page 3-11, New class - class name)

**Claim 18**

The method of claim 12, wherein the feature comprises an indication representing that an attribute in the data model is nullable. (SNAP, page 3-40, Attributes – Default).

**Claim 19**

**Template** anticipates a computer program product containing instructions which when executed on a processor, form a system for developing an application (WFT, pages 2-2 to 2-3, Introduction), the system comprising: a repository storing development objects using file borders defined in a data model (SNAP, pages Chapter 8, Using the Project Editor – enables file borders from a high level – files for storing, WFT, Chapters 2 – 4, Enable one to design a workflow system at the application level (i.e. Data Flow level) see page 4-3 );

**, wherein the data model includes a component class (SNAP, Chapter 3, page 3-40, defining attributes in classes is a data model – and component classes are the classes) and a model class associated with the component class (SNAP, Chapter 3, page 3-14 – shows the modeling of classes in the object model)**

a local development cache for caching the development objects from the repository (SNAP, pages 3-10, the classes represent objects and are reusable, NOTE: local cache is not defined to be traditional meaning of cache memory) ; an API derived from the data model ( WFT, pages 2-4, shows the flows between the different Roles from the concept drawing – the implementation on page , WFT, Chapter 7 shows different interactions among the objects); and a user interface development tool that uses the API to access the development objects ( WFT, Chapter 6, shows the Role objects called Applications in the WFT system – the previous sections described the flows (API) between the Applications).

**Claim 20**

The system of claim 19, further comprising a repository server that includes the repository (WFT, pages 7-19).

**Claim 21**

The system of claim 19, wherein the user interface development tool comprises one of a project browser ( as per claim 19), an application modeler, a view designer, a controller and context editor, and a model editor (ENV, Chapter 3, WDE).

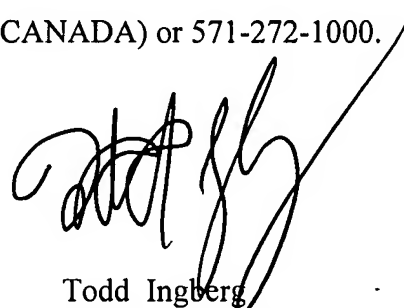
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***Correspondence Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Todd Ingberg whose telephone number is (571) 272-3723. The examiner can normally be reached on during the work week..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Todd Ingberg', is written over the printed name and title.

Todd Ingberg  
Primary Examiner  
Art Unit 2193

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